

Docket No. 87334.5920
Customer No. 30734

SPW
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chuan WENG

Application No.: 10/642,766

Filed: August 19, 2003

)
)
)
)
)
)

Group Art Unit: 1751

Examiner: J. Hardee

For: NON-HCFC REFRIGERANT MIXTURE FOR AN ULTRA-LOW TEMPERATURE
REFRIGERATION SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Official Action dated November 29, 2004, restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 1-26, drawn to compositions containing R14, classified in class 252, subclass 67.
- II. Claims 1-26, drawn to compositions not containing R14, classified in class 252, subclass 67.
- III. Claims 1-26, drawn to compositions containing R50, classified in class 252, subclass 67.
- IV. Claims 1-26, drawn to compositions not containing R50, classified in class 252, subclass 67.
- V. Claims 1-26, drawn to compositions containing R134a, classified in class 252, subclass 67.

- VI. Claims 1-26, drawn to compositions not containing R134a, classified in class 252, subclass 67.
- VII. Claims 1-26, drawn to compositions containing R152a, classified in class 252, subclass 67.
- VIII. Claims 1-26, drawn to compositions not containing R152a, classified in class 252, subclass 67.
- IX. Claims 1-26, drawn to compositions containing R290, classified in class 252, subclass 67.
- X. Claims 1-26, drawn to compositions not containing R290, classified in class 252, subclass 67.
- XI. Claims 1-26, drawn to compositions containing R236ea, classified in class 252, subclass 67.
- XII. Claims 1-26, drawn to compositions not containing R236ea, classified in class 252, subclass 67.
- XIII. Claims 1-26, drawn to compositions containing R245ca, classified in class 252, subclass 67.
- XIV. Claims 1-26, drawn to compositions not containing R245ca, classified in class 252, subclass 67.
- XV. Claims 1-26, drawn to compositions containing R245fa, classified in class 252, subclass 67.
- XVI. Claims 1-26, drawn to compositions not containing R245fa, classified in class 252, subclass 67.
- XVII. Claims 1-26, drawn to compositions containing R23, classified in class 252, subclass 67.

XVIII. Claims 1-26, drawn to compositions not containing R23, classified in class 252, subclass 67.

XIX. Claims 1-26, drawn to compositions containing R116, classified in class 252, subclass 67.

XX. Claims 1-26, drawn to compositions not containing R116, classified in class 252, subclass 67.

XXI. Claims 1-26, drawn to compositions containing R170, classified in class 252, subclass 67.

XXII. Claims 1-26, drawn to compositions not containing R170, classified in class 252, subclass 67.

XXIII. Claims 1-26, drawn to compositions containing R508a, classified in class 252, subclass 67.

XXIV. Claims 1-26, drawn to compositions not containing R508a, classified in class 252, subclass 67.

XXV. Claims 1-26, drawn to compositions containing R508b, classified in class 252, subclass 67.

XXVI. Claims 1-26, drawn to compositions not containing R508b, classified in class 252, subclass 67.

XXVII. Claims 1-26, drawn to compositions containing R1150, classified in class 252, subclass 67.

XXVIII. Claims 1-26, drawn to compositions not containing R1150, classified in class 252, subclass 67.

XXIX. Claims 1-26, drawn to compositions containing R227ea, classified in class 252, subclass 67.

XXX. Claims 1-26, drawn to compositions not containing R227ea, classified in class 252, subclass 67.

XXXI. Claims 1-26, drawn to compositions containing R236fa, classified in class 252, subclass 67.

XXXII. Claims 1-26, drawn to compositions not containing R236fa, classified in class 252, subclass 67.

XXXIII. Claims 1-26, drawn to compositions containing RC318, classified in class 252, subclass 67.

XXXIV. Claims 1-26, drawn to compositions not containing RC318, classified in class 252, subclass 67.

XXXV. Claims 1-26, drawn to compositions containing R600, classified in class 252, subclass 67.

XXXVI. Claims 1-26, drawn to compositions not containing R600, classified in class 252, subclass 67.

XXXVII. Claims 1-26, drawn to compositions containing R600a, classified in class 252, subclass 67.

XXXVIII. Claims 1-26, drawn to compositions not containing R600a, classified in class 252, subclass 67.

In response, Applicant hereby elects Group I as related to Group IV, Group VI, Group VIII, Group X, Group XI, Group XIII, Group XV, Group XVII, Group XIX, Group XXI, Group XXIII, Group XXV, Group XXVII, Group XXIX, Group XXXI, Group XXXIII, Group XXXV and Group XXXVII, respectively, which read altogether on Claims 1, 9, 14 and 22 for

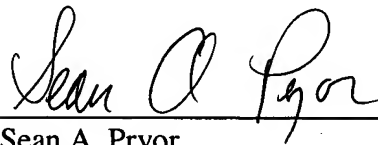
examination in this case, with traverse. It should be noted that this election excludes refrigerants R50, R290, R134a and R152a.

The election is made with traverse, because claims 1-26 all encompass the limitations of any one refrigerant from the group consisting of R23, R116, R170, R508a, R508b and R1150 (see Specification paragraph 31 and Table 1-1, variable D) as well as refrigerant R740.

Therefore, while the inventions being separately patentable, they are related to the same art as indicated in the Examiner's restriction showing only class 252, subclass 67 for all groups and therefore the Examiner should not be unduly burdened in doing the search and examination on all claims 1-26 accordingly.

Respectfully submitted,

Baker & Hostetler LLP

A handwritten signature in cursive script, reading "Sean A. Pryor", written over a horizontal line.

Sean A. Pryor
Reg. No. 48,103

Date: December 7, 2004
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783